

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : To be assigned Confirmation No.:
Applicant : Robert A. Kerr, II
Filing Date : Submitted Herewith
Title : SYSTEM AND METHOD FOR COLLECTING AND TRANSMITTING
MEDICAL DATA
Group Art Unit : 3742 (prior application)
Examiner : John A. Jeffrey (prior application)
Docket No. : 13357.4002
Customer No. : 34313

Commissioner for Patents
PO Box 1450
Mail Stop Patent Application
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

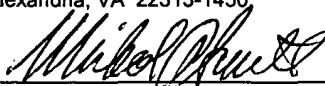
The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national

CERTIFICATE OF MAILING (37 CFR §1.10)

I hereby certify that this paper or fee (along with any referred to as being attached or enclosed) is being mailed on the date indicated with the U.S. Postal Service with sufficient postage as "Express Mail - Post Office to Addressee" in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Dated: August 6, 2003


Micheal A. Smith

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stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Orrick, Herrington & Sutcliffe's Deposit Account No. 15-0665.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: August 6, 2003

By: 

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	Not yet assigned
				Filing Date	Submitted herewith
				First Named Inventor	Robert A. Kerr II
				Group Art Unit	3742 (prior application)
				Examiner Name	John A. Jeffrey (prior application)
Sheet	1	of	3	Attorney Docket Number	13357.4002

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No. ¹	U.S. Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ²		
	A1	5,549,117		08/1996	Tacklind et al.
	A2	5,626,144		05/1997	Tacklind et al.
	A3	5,704,366		01/1998	Tacklind et al.
	A4	5,857,967		1/1999	Frid et al.
	A5	5,889,474		3/1999	LaDue
	A6	5,951,300		9/1999	Brown
	A7	5,987,519		11/1999	Peifer et al.
	A8	5,997,476		12/1999	Brown
	A9	6,013,007		1/2000	Root et al.
	A10	6,024,699		2/2000	Surwit et al.
	A11	6,035,328		3/2000	Soukal
	A12	6,095,985		8/2000	Raymond et al.
	A13	6,101,478		8/2000	Brown
	A14	6,122,351		9/2000	Schlueter, Jr. et al.
	A15	6,148,342		11/2000	Ho
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	A18	6,162,180		12/2000	Miesel et al.
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	A20	6,264,614		7/2001	Albert et al.
	A21	6,304,788		10/2001	Eady et al.
	A22	6,312,378		11/2001	Bardy
	A23	2001/0056229		12/2001	Consentino et al.
	A24	2001/0051787		12/2001	Haller et al.
	A25	2001/0047125		12/2001	Quy
	A26	6,336,900		1/2002	Alleckson et al.
	A27	6,350,237		2/2002	Pelletier, et al.
	A28	2002/0052542		5/2002	Bardy
	A29	6,421,633		7/2002	Heinonen et al.

Examiner Signature		Date Considered	
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FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
		Country ³	Number ⁴	Kind Code ⁵			
	B1	WO	9824212		4/1995	WIPO	
	B2	WO	9824358		6/1998	WIPO	
	B3	WO	9859487		12/1998	WIPO	
	B4	WO	9914882		3/1999	WIPO	
	B5	WO	200049549		8/2000	WIPO	
	B6	WO	200052604		9/2000	WIPO	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	Website: Fitsense, www.fitsense.com	
	CB	Website: Hommed, www.hommed.com	
	C3	Website: LifeChart, www.lifechart.com	
	C4	Website: LifeLink, www.llmi.com	
	C5	Website: Sensatex, www.sensatex.com	
	C6	Website: Sportbrain, www.sportbrain.com/products/essentials.cfm	
	C7	Website: StayHealthy, www.stayhealthy.com	
	C8	Website: Sunbeam, http://www.thaliaproducts.com/	
	C9	Barro, S. et al., "Intelligent Telemonitoring of Critical-Care Patients," IEEE Engr Med Biol., July/Aug. 1999, pp. 80-88.	
	C10	Hutten, H. et al., "Cardiac Telemonitoring By Integrating Pacemaker Telemetry Within Worldwide Data Communication Systems," Proc. 19 th Intl. Conf. IEEE/EMBS Oct. 30-Nov. 2, 1997, pp. 974-976.	
	C11	Lee, H., et al., "Real-Time Monitoring Service Through World-Wide Web," Proc. 19 th Intl Conf, IEEE/EMBS Oct. 30-Nov. 2, 1997, pp. 928-931.	
	C12	Magrabi, F. et al., "Web Based Longitudinal ECG Monitoring," Proc. of 20 th Intl Conf IEEE Bed Biol Soc., Vol. 20, No. 3, 1998, p. 1155-1158.	
	C13	Nelwan, S. et al., "Ubiquitous Access to Real-Time Patient Monitoring Data," Computers in Cardiology Vol. 24, 1997.	
	C14	Park, S. et al., "Real-Time Monitoring of Patients on Remote Sites," Proc. of 20 th Intl Conf IEEE Med Biol Soc., Vol. 20, No. 3, 1998, pp. 1321-1325.	

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	C15	Singh, S. et al., "Internet Based Infant Monitoring System," Proc. of 1 st Joint BMES/EMBS Conf., October 13-16, 1999, p. 674.	
	C16	Vargas, J.E., "Home-Based Monitoring of Cardiac Patients," Info Tech Apps. Biomed, Proc. 1998 IEEE Intl Conf., 16-17 May 1998.	

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